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PTO/SB/05 (2/98)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.	04983.0119.US01/38-21(15598)B
First Named Inventor or Application Identifier	BYRUM
Title	Nucleic Acid Molecules and Other Molecules Associated with Plants
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ *Fee Transmittal Form (Form PTO-1082)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 770]
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
3. ☐ Drawing(s) (35 USC 113) [Total Sheets]
4. ☐ Oath or Declaration [Total Pages]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and
1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy
of the oath or declaration is supplied under Box 4b, is considered
as being part of the disclosure of the accompanying application
and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☒ Computer Readable Copy
- b. ☒ Paper Copy (identical to computer copy)
- c. ☒ Statement verifying identity of above
copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (Two)
(should be specifically itemized)
14. ☐ *Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: /

Prior Application Information: Examiner: Group/Art Unit:

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label or ☒ Correspondence address below
(Insert Customer No. or Attach bar code label here)

NAME	David R. Marsh, Esq. HOWREY & SIMON				
ADDRESS	Box No. 34 1299 Pennsylvania Avenue, N.W.				
CITY	Washington	STATE	DC	ZIP CODE	20004-2402
COUNTRY	US	TELEPHONE	202-783-0800	FAX	202-383-7195
Name (Print/Type)	David R. Marsh			Registration No. (Attorney/Agent)	41,408
Signature	<i>David R. Marsh</i>			Date	October 15, 1999

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

October 15, 1999

10/15/99
10665 U.S. PTO

Box Patent Application

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Non-Provisional Utility Patent Application
Application No.: To Be Assigned
Filed: Herewith
For: **Nucleic Acid Molecules and Other
Molecules Associated with Plants**
Inventors: Joseph R. BYRUM
Atty. Docket: 04983.0119.US01/38-21(15598)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. Form PTO-1082;
3. U.S. Utility Patent Application entitled:

Nucleic Acid Molecules and Other Molecules Associated with Plants

and naming as inventors:

Joseph R. BYRUM

the application consisting of:

- a. A specification containing:
 - (i) 767 pages of a description prior to the claims;
 - (ii) 2 pages of claims (15 claims);
 - (iii) a one (1) page abstract; and
 - (iv) 15,379 pages of a sequence listing;

4. A CD-ROM containing the sequence listing;
5. Statement Regarding Sequence Submission; and
6. Two (2) return postcards.

This application is being filed **without** an executed Declaration and without fee.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. R. Marsh", with a stylized flourish at the end.

David R. Marsh (Reg. No. 41,408)

Enclosures

HOWREY & SIMON
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

Attorney Docket No. 04983.0119.US01/38-21(15598)B

ASSISTANT COMMISSIONER FOR PATENTS
 Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventors: Joseph R. BYRUM

For: Nucleic Acid Molecules and Other Molecules Associated with Plants

Enclosed are:

- ☒ U.S. Utility Patent Application (consisting of 767 pages of description prior to the claims; 2 pages of claims; 1 page abstract, and 15,379 pages of a sequence listing)
- ☒ CD-ROM containing the sequence listing
- ☒ Statement regarding Sequence Submission

This application is being filed without an executed Declaration and without fee

The filing fee has been calculated as shown below:

(Col. 1)		(Col. 2)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
BASIC FEE				385.00	OR		760.00
TOTAL CLAIMS	- 20 =	*	x 9 =		OR	x 18 =	
INDEP. CLAIMS	- 3 =	*	x 39 =		OR	x 78 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+ 130 =		OR	+ 260 =	
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2			TOTAL	\$	OR	TOTAL	\$ 760.00

- ☐ Please charge by Deposit Account No. 08-3038 in the amount of _____. A duplicate copy of this sheet is attached.
- ☐ Howrey & Simon Check No. _____ in the amount of \$ _____ to cover the basic filing fee and extra claims fee is enclosed.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit Any overpayment to Deposit Account No. 08-3038. A duplicate of this sheet is attached.
- ☐ Any additional filing fees required under 37 C.F.R. § 1.16.
- ☐ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this sheet is attached.
- ☐ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☐ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).
- ☐ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Date: October 15, 1999


David R. Marsh (Reg. No. 41,408)